

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
MIDLAND/ODESSA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEFFREY DURGIN, M.D.,

Defendant.

§  
§  
§  
§  
§  
§  
§  
§  
§

Civil Action No. 7:24-cv-121

**JOINT MOTION FOR ENTRY OF FINAL JUDGMENT BY CONSENT**

Plaintiff United States of America (United States) and defendant Jeffrey Durgin, M.D. (Dr. Durgin), by and through their undersigned counsel, hereby jointly move for and stipulate to entry of the attached Final Judgment by Consent (Consent Judgment). In support of this Motion, the parties state as follows:

1. The United States alleges that Dr. Durgin received remuneration in exchange for prescribing compounded pain and scar creams that were reimbursed by the TRICARE program. The claims for reimbursement for these prescriptions were “false or fraudulent claims” for purposes of the False Claims Act under 42 U.S.C. § 1320a-7b(g). The United States claims an entitlement to treble damages and civil penalties under 31 U.S.C. § 3729(a)(1)(A).

2. Dr. Durgin denies the allegations but wishes to resolve them nonetheless through entry of the attached Consent Judgment.

3. The United States also wishes to resolve these allegations through entry of the attached Consent Judgment.

4. Dr. Durgin waives service of the Summons and the Complaint.

5. Dr. Durgin acknowledges that he has read the provisions of the Consent Judgment, has had sufficient time to consider the ramifications of the Consent Judgment, and understands the terms of the Consent Judgment.

6. Without admission of liability or wrongdoing, Dr. Durgin stipulates to the entry of the Consent Judgment, freely and without coercion.

7. For the purposes of this action only, Dr. Durgin admits the facts necessary to establish the Court's jurisdiction.

8. Each party agrees to bear its own attorney's fees and costs incurred in connection with this action.

Dated: May 13, 2024

Respectfully submitted,

JAIME ESPARZA  
United States Attorney




THOMAS A. PARNHAM JR.  
Assistant United States Attorney  
New York Bar No. 4775706  
903 San Jacinto Blvd, Suite 334  
Austin, Texas 78701  
(512) 916-5858 (tel)  
(512) 916-5854 (fax)  
thomas.parnham@usdoj.gov

*Counsel for the United States*



WEBB MILLSAPS  
Webb Millsaps Law, PL  
160 W Camino Real # 190  
Boca Raton, FL 33432  
(561) 900-7238 (tel)  
webb@webbmillsapslaw.com

*Counsel for Jeffrey Durgin, M.D.*



JEFFREY DURGIN, M.D.  
5800 Lincoln Green Ct  
Midland, Texas 79707